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Attorneys for Plaintiffs GILBERT SAUCILLO, et al.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JOHN BURNELL, et al.

Plaintiffs,

v.

SWIFT TRANSPORTATION
COMPANY OF ARIZONA, LLC

Defendants,

and

JAMES R. RUDSELL,

Plaintiffs,

v.

SWIFT TRANSPORTATION
COMPANY OF ARIZONA, LLC, et al.

Defendants.

Case No. 5:10-cv-00809-VAP-OP; and
Case No. 5:12-cv-00692 VAP OP;

Hon. Virginia A. Phillips

**DECLARATION OF GILBERT
SAUCILLO IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF THE PARTIES'
CLASS ACTION SETTLEMENT**

Date of Hearing: August 12, 2009

Time: 2:30 p.m.

Room: 8A – First Street

1 I, Gilbert Saucillo, hereby declare and state:

2 1. I am an individual over the age of eighteen. I am a named plaintiff in this
3 lawsuit. I have personal knowledge of the matters stated herein and, if called upon, I
4 could and would competently testify thereto.

5 2. I began working as a driver for Defendant Swift Transportation Company of
6 Arizona, LLC ("Swift") in April of 2006, and have continued with that employment ever
7 since then. I earned mileage based pay for my work during most the time I worked for
8 Swift. I lived in California during the entire time I worked for Swift.

9 3. I understand that I am a named plaintiff and proposed class representative in
10 this lawsuit. I understand that as a representative plaintiff, it is and has been my role to
11 represent a class of other drivers who were employed by Swift to perform work in
12 California and earned mileage based pay.

13 4. I understand that my lawsuit has been consolidated with another lawsuit
14 filed by another former Swift driver named James Rudsell and that the consolidated case
15 alleges that Swift drivers, including Mr. Rudsell and I, were not paid for all of our
16 worktime, were not provided meal and rest breaks, were not reimbursed for work-related
17 expenses, were not paid timely paid final wages, and were not provided accurate wage
18 statements.

19 5. To my knowledge, there are no conflicts which exist between my interests in
20 this case and the interests of the other drivers I have and will represent, that would impair
21 my ability to serve as a representative.

22 6. I have been an active participant in this case and have assisted in the
23 investigation of this case. I have provided documents to my attorneys and have assisted
24 in preparing filings and gathering facts.

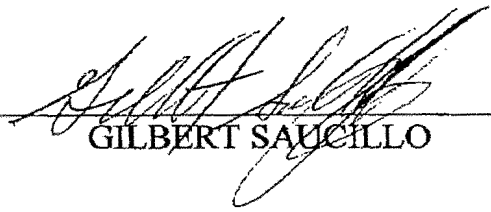
7. I understand my duties and responsibilities to the proposed class. Before
signing the settlement agreement with Swift, I reviewed the agreement with my lawyers
and understand that it provides for a gross settlement payment amount of \$7,250,000.00,
with at least \$4,273,333.33 to be paid to Swift drivers, which I believe to be a fair and

1 adequate result. I have not been promised any compensation other than my proportionate
2 share of the settlement money and the possibility of a \$5,000 incentive award for my
3 work on this case.

4 I declare under penalty of perjury under the laws of the United States of America
5 that the foregoing is true and correct.

Upland, California

6 Executed this 28th day of July, 2019 at 2:38 pm 7/28/19

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8 
9 GILBERT SAUCILLO